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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,744	04/20/2001	Olivier Frank	OLIVIER-1	1292

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EXAMINER
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HAVAN, THU THAO

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/839,744

Applicant(s)

FRANK, OLIVIER

Examiner

Thu Thao Havan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/1/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**Detailed Action**

***Drawings***

The drawings are objected to under 37 CFR 1.83(a) because they fail to show descriptions or labels for each elements in figures 1-3 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships have not been defined as claimed.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. "To which he is likely to go" is vague and indefinite. It reads as a hypothetical situation.

### ***Claim Objections***

Claims 1-2 are objected to because of the following informalities: Reference characters corresponding to elements recited in the detailed description of the drawings such as elements (20) in claim 1 and element (10) in claim 2 are not proper for a US application. Please delete these elements from the claims. Appropriate correction is required.

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1-6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bigari (US 5,010,485) in view of Russell et al. (US 2002/0029195).

Re claim 1, Bigari teaches a system for managing vouchers of access to a service (col. 8, line 47 to col. 9, line 6; col. 5, lines 12-26; Bigari discloses the voucher is updated), wherein the service payment operation is separate from the voucher charging or operation (col. 3, lines 36-39; col. 11, lines 29-45; Bigari teaches payment voucher located "remote" from point of purchase. Examiner takes the position of "remote" corresponding to separate), this last operation being performed upon presentation of the voucher to a service access validation station (col. 6, lines 5-25; col. 4, lines 19-28; Bigari discloses a host institution as a validation station because a host institution is a verification center).

However, Bigari does not explicitly teach rechargeable vouchers. On the other hand, Russell discloses rechargeable vouchers when he discloses rechargeable cards such as various forms of debit, charge cards, and vouchers (para. 0002, 0049, and 0053). Russell discloses cards to be replenished when the initial balance has been spent. He discloses the recharge process is carried out by an authorized financial institution capable of verifying the payment to be credited to the card and may also be carried out electronically by transfer from a conventional credit or charge card. Thus, it would have been obvious to one of ordinary skill in the art to implement rechargeable vouchers when the initial balance in a card has been spent by replenishing a voucher as discloses in Russell.

Re claim 2, Bigari teaches payment information corresponding to determined card numbers are stored at the level of a central station which periodically transmits a portion at

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least of this information to at least some selected ones of the validation stations (col. 10, line 41 to col. 11, line 28; col. 3, lines 36-39; col. 11, lines 29-45). Bigari discloses a host institution as a verification center with remote point of purchase.

Re claim 3, Bigari teaches upon payment, the voucher user provides an indication about the first validation station(s) to which he is likely to go (col. 4, lines 19-28). Bigari discloses the customer (i.e. voucher user) is remote from the point of purchase station. Basically, the customer is at the location he is likely to go.

Re claim 4, Bigari teaches applicable to periodic vouchers, wherein, at the end of each period, the voucher validity being then checked at the level of a central station by comparison between the list of vouchers and a list of vouchers has been paid for, a list being then made of the vouchers has been performed and not paid for, this last list being periodically transmitted to some or to all validators, to enable them to totally or partially inhibit the vouchers belonging to this last list (col. 4, lines 7-29; fig. 2; abstract). In figure 2, Bigari discloses storing/indexing a list of vouchers when he discloses storing the account identification data in relation to information about vouchers

However, Bigari does not explicitly teach rechargeable vouchers. On the other hand, Russell discloses rechargeable vouchers when he discloses rechargeable cards such as various forms of debit, charge cards, and vouchers (para. 0002, 0049, and 0053). Russell discloses cards to be replenished when the initial balance has been spent. He discloses the recharge process is carried out by an authorized financial institution capable of verifying the payment to be credited to the card and may also be carried out electronically by transfer from a conventional credit or charge card. Thus, it would have been obvious to one of

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ordinary skill in the art to implement rechargeable vouchers when the initial balance in a card has been spent by replenishing a voucher as discloses in Russell.

Re claim 5, Bigari teaches for charging a voucher, the system automatically determines according to statistic criteria certain validation stations to which said voucher is likely to be presented (col. 5, lines 3-40). Bigari automatically producing a voucher at the payment voucher producing apparatus in response to receipt of the approval signal and storing the proposed charge transaction in memory of the data processor.

However, Bigari does not explicitly teach recharging a voucher. On the other hand, Russell discloses recharging a voucher when he discloses rechargeable cards such as various forms of debit, charge cards, and vouchers (para. 0002, 0049, and 0053). Russell discloses cards to be replenished when the initial balance has been spent. He discloses the recharge process is carried out by an authorized financial institution capable of verifying the payment to be credited to the card and may also be carried out electronically by transfer from a conventional credit or charge card. Thus, it would have been obvious to one of ordinary skill in the art to implement rechargeable vouchers when the initial balance in a card has been spent by replenishing a voucher as discloses in Russell.

Re claim 6, Bigari teaches a validator of the access to a service by a voucher (col., lines), including means for:

reading the voucher number (col. 4, lines 1-6; abstract: Bigari discloses a charge card reader corresponding to reading the voucher number because account identification data is read from a customer's charge card) and

storing a list of vouchers, the validation of which is authorized and/or forbidden (col. 4, lines 7-18; abstract; fig. 2; Bigari teaches validation is approved/disapprove in response status signal for the proposed charge. Furthermore, in figure 2, Bigari discloses storing a list of vouchers when he discloses storing/indexing the account identification data in relation to information about vouchers).

However, Bigari does not explicitly teach rechargeable vouchers. On the other hand, Russell discloses rechargeable vouchers when he discloses rechargeable cards such as various forms of debit, charge cards, and vouchers (para. 0002, 0049, and 0053). Russell discloses cards to be replenished when the initial balance has been spent. He discloses the recharge process is carried out by an authorized financial institution capable of verifying the payment to be credited to the card and may also be carried out electronically by transfer from a conventional credit or charge card. Thus, it would have been obvious to one of ordinary skill in the art to implement rechargeable vouchers when the initial balance in a card has been spent by replenishing a voucher as discloses in Russell.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Parfait et al, US patent no. 7,050,554

Anderson et al., US patent no. 2002/0091572

Luciano et al., US 6,758,393



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).



Thu Thao Havan  
Art Unit: 3624  
8/15/2006